IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

THURSDAY, THE 24TH MAY 2007 / 3RD JYAISHTA 1929

MFA.No. 64 of 2007()

OA.68/1999 of RAILWAY CLAIMS TRIBUNAL, ERNAKULAM
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APPELLANTS: APPLICANTS
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1. THAZHATHE PURAYIL SARABI,
AGED 27 YEARS, W/O LATE ILLIKKAL KUNHI MOOSA,
RESIDING AT ARAVANCHAL, PERINGOME AMSOM, DESOM,
KANNUR.

2. THAZHATHE PURAYIL MUSAINA,
AGED 7 YEARS, D/O LATE ILLIKKAL KUNHI MOOSA(MINOR)
REP.BY MOTHER, 1ST APPELLANT, RESIDING AT ARAVANCHAL,
PERINGOME AMSOM, DESOM, KANNUR.

3. ILLIKKAL JAMEELA,AGED 55 YEARS,
M/O LATE ILLIKKAL KUNHI MOOSA, RESIDING AT ARAVANCHAL,
PERINGOME AMSOM, DESOM, KANNUR.

BY ADV. SRI.V.N.RAMESAN NAMBISAN

RESPONDENTS: RESPONDENTS
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1. UNION OF INDIA, REPRESENTED BY
GENERAL MANAGER, SOUTHERN RAILWAY, CHENNAI.

2. THE CHIEF COMMERCIAL OFFICER(CLAIMS)
SOUTHERN RAILWAY, TIRUCHIRAPPALLI.

BY ADV. SRI.JAMES KURIAN, SC, RAILWAYS

THIS MISC. FIRST APPEAL HAVING COME UP FOR ADMISSION ON 24/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

M.F.A.No.64 OF 2007

Dated 24th May, 2007

JUDGMENT

Koshy,J.

This appeal is filed against the award of the Railway Claims Tribunal. Maximum compensation i.e., Rs.4 lakhs, was awarded. Even though interest for the prior period was not awarded, Tribunal awarded interest if the order is not complied with within 45 days of the date of the order. The Tribunal has applied its mind. Award of interest is the discretion of the Tribunal. We see no ground to admit the appeal only on the question of interest.

The appeal is dismissed.

J.B.KOSHY
JUDGE

K.P.BALACHANDRAN
JUDGE

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